



Cochise County

Development Services

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MEMORANDUM

TO: Cochise County Board of Supervisors
THROUGH: Richard Karwaczka, County Administrator
FROM: Robert Kirschmann, Planner II
FOR: Daniel Coxworth, AICP, Development Director
SUBJECT: Docket SUA-20-15 and SUA 20-16 (Clenera North and South) Appeal
DATE: January 13, 2021 for the January 26, 2021 Meeting

APPEAL OF A SPECIAL USE AUTHORIZATION

Ms. Maureen G. McBride has filed an appeal against a decision made by the Cochise County Planning and Zoning Commission on December 9, 2020. The Commission approved Special Uses, SU-20-15 and SU-20-16 (Clenera Solar North and South) 4-3-1 (approval, denial, abstain) for:

Special Use Authorization to construct an 80MW utility scale power generation facility on approximately 560 and 540 acres of a 10,873 acre parcel. The site is located on the Babacomari ranch approximately four (4) miles south west of junction of State Route 90 and 82. The site is further identified as Parcel 106-03-038. The Applicant is Babacomari Solar North, represented by Layne Ashton.

Section 1716.04 of the Zoning Regulations states that appeals of Special Use decisions shall be heard by the Board of Supervisors at a duly noticed public hearing.

NATURE OF THE APPEAL/PLANNING AND ZONING COMMISSION MEETING

In January of 2020 representatives from Clenera reached out to Planning and Zoning Staff to discuss the potential of establishing two separate solar projects on the parcel. The applicant reached out to all property owners within one mile of the parcel as was required at that time. Following their outreach, the application was submitted to the County for consideration.

Per County Zoning Regulations, Solar Energy Power Plants are allowed in the Rural Zoning District with the approval of a Special Use and compliance with development standards specified in Article 18.

The Planning Commission held a public hearing on December 9, 2020. At the Commission hearing, the Commissioners considered verbal and written public testimony. After considering all facts the Commission voted (4-3-1) to approve both requests.

Ms. Maureen G. McBride has appealed the decision of the Planning and Zoning Commission to approve the requests. In the Appeal documents, she cites (list is not exhaustive, please see Attachment for full appeal statement):

Planning, Zoning and Building Safety

1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
planningandzoning@cochise.az.gov

- The time limit of five minutes to speak was not stated prior to the Hearing and therefore her full statement could not be made to the Commission
- "The Arizona Corporation Commission voted 4-1 last month to move forward to reduce 100% carbon emissions from regulated utilities by 2050 with targets of 50% by 2032 and 75% by 2040.

The Staff report presented to the Planning Commission is attached for your reference.